

AM1664
LB 70
DSH-05-19

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AMENDMENTS TO LB 70

(Amendments to AM1153)

1 1. Strike amendment 1 and all amendments thereto and
2 insert the following new amendment:

3 "1. In the E & R amendments, AM7088, strike section 8
4 and insert the following new section:

5 'Sec. 8. Section 60-6,279, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 60-6,279. (1) Except as provided in subsections (2) and
8 (3) of this section, a A person shall not operate or be a passenger
9 on a motorcycle or moped on any highway in this state unless such
10 person is wearing eye protection and a protective helmet of the
11 type and design manufactured for use by operators of such vehicles
12 and unless such helmet is secured properly on his or her head with
13 a chin strap while the vehicle is in motion. All such protective
14 helmets shall be designed to reduce injuries to the user resulting
15 from head impacts and shall be designed to protect the user by
16 remaining on the user's head, deflecting blows, resisting
17 penetration, and spreading the force of impact. Each such helmet
18 shall consist of lining, padding, and chin strap and shall meet or
19 exceed the standards established in the United States Department of
20 Transportation's Federal Motor Vehicle Safety Standard No. 218, 49
21 C.F.R. 571.218, for motorcycle helmets.

22 (2) Except as otherwise provided in subsection (3) of
23 this section, until January 1, 2012, a person shall be exempt from

1 subsection (1) of this section if he or she (a) is at least
2 twenty-one years of age, (b) is equipped with eye protection, and
3 (c) carries proof of successful completion of (i) a motorcycle
4 safety course under the Motorcycle Safety Education Act completed
5 prior to January 1, 2007, or (ii) a motorcycle safety course under
6 the Motorcycle Safety and Training Act completed on or after
7 January 1, 2007. Proof of completion of a motorcycle safety course
8 provided by a nationally recognized motorcycle safety foundation
9 shall meet the requirements of a course for purposes of this
10 subsection. Such proof of course completion shall be available for
11 inspection upon demand of any law enforcement officer.

12 (3) Until January 1, 2012, a person shall be exempt from
13 subsection (1) of this section if he or she (a) was born prior to
14 January 1, 1986, (b) had a Class M license prior to January 1,
15 2005, and (c) is equipped with eye protection.

16 (4) Except for the eye protection requirements of this
17 section, until January 1, 2012, enforcement of this section by
18 state or local law enforcement agencies shall be accomplished only
19 as a secondary action when an operator or passenger has been cited
20 or charged with a violation or some other offense.

21 (5) For purposes of this section, eye protection means
22 glasses that cover the orbital region of the operator's face, a
23 protective face shield attached to a protective helmet, goggles, or
24 a windshield on the motorcycle that protects the operator's
25 horizontal line of vision in all operating positions.'."